



**BARNES & THORNBURG LLP**

IFW 3727  
11 South Meridian Street  
Indianapolis, Indiana 46204  
(317) 236-1313  
(317) 231-7433 Fax

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Customer No. 23643

Group: 3727

Confirmation No.: 1879

Application No.: 10/537,426

Invention: EXPANDABLE HARD SUITCASE  
HAVING MOLDED BASE AND LID  
PORTIONS AND METHOD OF  
MAKING SAME

Inventor: Sedat Selvi

Filed: June 2, 2005

Attorney

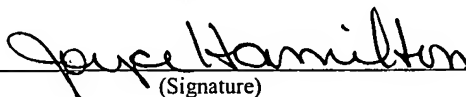
Docket: 38566-77784

Examiner: Weaver, Sue A.

Certificate Under 37 CFR 1.8(a)

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

on June 7, 2006

  
(Signature)

Joyce Hamilton  
(Printed Name)

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This statement is filed in the application identified above pursuant to 37 C.F.R. § 1.56. Under MPEP § 2001.06(c), "where the subject matter for which a patent is being sought is or has been involved in litigation, the existence of such litigation and any other material information arising therefrom must be brought to the attention of the Patent and Trademark Office." The suitcase which is shown and described in the present patent application

is also the subject of a trademark and trade dress lawsuit, *Landor & Hawa U.S.A., Inc., Landor & Hawa International, Ltd. v. Traveler's Club Luggage, Inc.*, which was filed in United States District Court for the Southern District of Indiana, Indianapolis Division and assigned case number 06-cv-0528-DFH-TAB. This is the second trademark and trade dress lawsuit that has been brought due to a competitor's copying Applicant's product which is the subject of the above-captioned patent application. The first lawsuit was disclosed in a Supplemental Information Disclosure Statement mailed to the USPTO on October 31, 2005.

Under MPEP § 2001.06(c), "[e]nough information should be submitted to clearly inform the Office of the nature of these issues so that the Office can intelligently evaluate the need for asking for further materials in the litigation." The Complaint in the second lawsuit, which was filed on April 3, 2006, is submitted herewith. Defendant's Answer and Counterclaims in the second lawsuit, along with the ten (10) Exhibits thereto, which was filed May 15, 2006, is also submitted herewith. Plaintiff's Reply to the Counterclaims, which was filed June 5, 2006, is also submitted herewith. At this point in time, no further pleadings, motions, or other documents regarding the substantive merits of the case have been filed in the second litigation. A trial has not yet taken place. Plaintiff's Complaint, Defendant's Answer and Counterclaims, and Plaintiff's Reply to Counterclaims are listed on the attached PTO 1449 form as items AR, AS, and AT. The lawsuit does not currently involve any U.S. patents.

According to MPEP § 2001.06(c), "[e]xamples of such material information include evidence of possible prior public use or sales, questions of inventorship, prior art, allegations of "fraud," "inequitable conduct," and "violation of duty of disclosure." Further

according to MPEP § 2001.06(c), “[a]nother example of such material information is any assertion that is made during litigation which is contradictory to assertions made to the examiner. *Environ Prods., Inc. v. Total Containment, Inc.*, 43 USPQ2d 1288, 1291 (E.D. Pa. 1997).” The Exhibits to Defendant’s Answer and Counterclaims contain images of suitcases that may or may not be prior art to the present application. However, very few dates appear on the pages of the Exhibits (other than the date of May 15, 2006 which is the date the Exhibits were submitted to the court in the present litigation) and therefore, it is unknown which, if any, of the suitcases shown in the Exhibits of Defendants are prior art to the present application.

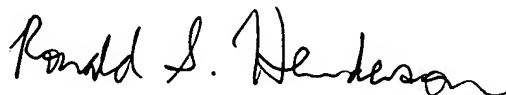
At the present time, no information which falls into any of the other above-listed categories (e.g., evidence of possible prior public use or sales, questions of inventorship, allegations of “fraud,” “inequitable conduct,” “violation of duty of disclosure,” and “contradictory assertions”) has been identified in the present litigation, although the examiner is invited to review the documents submitted herewith so that the examiner may make her own determination in this regard. Furthermore, because the lawsuit relates to trademark and trade dress infringement, it is believed that it is unlikely that information arising in connection with this lawsuit will bear upon any of the other above-listed categories. However, if such material information should arise during the course of litigation, it is our intention to provide that material information to the U.S. Patent & Trademark Office in subsequent Supplemental Information Disclosure Statements.

None of the documents listed on the attached PTO Form 1449 is believed to disclose or suggest the invention recited in the claims of the above-identified application. It is therefore believed that the claimed invention is patentably distinguishable over these references.

Please charge any fees that might be due in connection with this Information Disclosure Statement to Deposit Account No. 10-0435, with reference to attorney docket number 38566-77784.

Respectfully submitted,

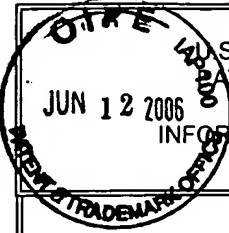
BARNES & THORNBURG LLP

A handwritten signature in cursive script, reading "Ronald S. Henderson".

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Ronald S. Henderson  
Registration No. 43669

Indianapolis, Indiana 46204  
(317) 231-7341

		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY. DOCKET NO. 38566-77784		SERIAL NO. 10/537,426	
		INFORMATION DISCLOSURE STATEMENT					
		APPLICANT Sedat Selvi				FILING DATE June 2, 2005	
U.S. PATENT DOCUMENTS							
*Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
FOREIGN PATENT DOCUMENTS							
		Document Number	Date	Country	Class	Subclass	Translation Yes No
	AL						
	AM						
	AN						
	AO						
	AP						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AR	Complaint, <i>Landor &amp; Hawa U.S.A., Ltd., and Landor &amp; Hawa International, Ltd. vs. Traveler's Club Luggage, Inc.</i> , U.S. District Court for the Southern District of Indiana, Indianapolis Division, Case No. 1:06-cv-0528-DFH-TAB					
	AS	Answer and Counterclaims, <i>Landor &amp; Hawa U.S.A., Ltd., and Landor &amp; Hawa International, Ltd. vs. Traveler's Club Luggage, Inc., Traveler's Club Luggage, Inc. vs. Landor &amp; Hawa U.S.A., Ltd., and Landor &amp; Hawa International, Ltd.</i> , U.S. District Court for the Southern District of Indiana, Indianapolis Division, Case No. 1:06-cv-0528-DFH-TAB					
	AT	Reply to Counterclaims, <i>Landor &amp; Hawa U.S.A., Ltd., and Landor &amp; Hawa International, Ltd. vs. Traveler's Club Luggage, Inc.</i> , U.S. District Court for the Southern District of Indiana, Indianapolis Division, Case No. 1:06-cv-0528-DFH-TAB					
	AU						
	AV						
	AW						
	AX						
	AY						
	AZ						
Examiner						Date Considered	
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609.          Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							

Based on Form PTO 1449